



REGISTRAR OF REGULATIONS  
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## COMMONWEALTH of VIRGINIA

*Department of Health*  
**DIVISION OF SHELLFISH SANITATION**  
109 Governor Street, Room 614-B  
Richmond, VA 23219

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### **NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 037-061, STUTTS CREEK AND VICINITY**

**EFFECTIVE 28 OCTOBER 2005**

Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §9-6.14:4.1, B.16 of the *Code of Virginia*:

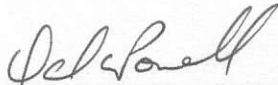
1. The "Notice of Establishment and Description of Shellfish Area Condemnation Number 037-061, Stutts Creek and Vicinity," effective 10 February 2005, is cancelled effective 28 October 2005.
2. The shellfish condemnation area Number 037-061, shown as Sections A, B, C and D, is established, effective 28 October 2005. It shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose, except by permit granted by the Marine Resources Commission, as provided in Section 28.2-810 of the *Code of Virginia*. The boundaries of these areas are shown on the map titled "Stutts Creek and Vicinity, Condemned Shellfish Area Number 037-061, 28 October 2005 which is part of this notice.
3. The seasonal shellfish condemnation area Number 037-061 shown at Sections M1, and M2, is hereby established, effective 28 October 2005, and shall remain in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded. It shall be unlawful for any person, firm or corporation to take shellfish from these areas during such period for any purpose, except by permit granted by the Marine Resources Commission, as provided in § 28.2-810 of the *Code of Virginia*. The boundaries of these areas are shown on the map titled "Stutts Creek and Vicinity, Condemned Shellfish Area Number 037-061, 28 October 2005 which is part of this notice.
4. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

#### **BOUNDARIES OF CONDEMNED AREA NUMBER 037-061**

- A. The condemned area shall include all of that portion of Stutts Creek and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°27'46.0", -76°18'08.5"), map coordinate (37°27'38.7", -76°18'10.6"), and map coordinate (37°27'36.7", -76°18'11.1").

- B. The condemned area shall include all of Billups Creek and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°27'22.1", -76°16'50.3") and map coordinate (37°27'10.1", -76°16'56.5").
- C. The condemned area shall include all of the water body named Hole in the Wall lying upstream of a line drawn between latitude/longitude map coordinate (37°28'28.4", -76°17'25.0") and map coordinate (37°28'29.6", -76°17'20.6").
- D. The condemned area shall include all of Hudgins Creek and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°27'34.8", -76°17'45.3") and map coordinate (37°27'35.3", -76°17'44.0").
- M1. The seasonally condemned area shall include that portion of Stutts Creek inshore of a line drawn between latitude/longitude map coordinate (37°27'36.7", -76°18'11.1"), map coordinate (37°27'38.7", -76°18'10.6"), map coordinate (37°27'41.3", -76°17'53.4"), and map coordinate (37°27'34.8", -76°17'45.3").
- M2. The seasonally condemned area shall include that portion of Stoakes Creek inshore of a line drawn between latitude/longitude map coordinate (37°27'04.0", -76°16'19.7") and map coordinate (37°26'55.2", -76°16'21.1").

Recommended by:

  
\_\_\_\_\_  
Director, Division of Shellfish Sanitation

Ordered by:

  
\_\_\_\_\_  
State Health Commissioner

10/17/2005  
\_\_\_\_\_  
Date

**Virginia Department of Health  
Stutts Creek and Vicinity  
Condemned Shellfish Area 037-061  
28 October 2005**

